

REMARKS

Applicant, by the amendments presented above, has made a concerted effort to present claims which more clearly define over the prior art of record, and thus to place this case in condition for allowance.

5 Independent claims 1 and 19 have been amended to positively claim the properties which are inherent in a conduit with a wall thickness of less than 50 microns. Specifically, claims 1 and 19 have been amended to specify that the wall defining the breathing gases pathway comprises a very thin membrane having a thickness less than 50 microns such that the membrane is insufficiently sturdy to be self supporting; the conduit is insufficiently sturdy such that the 10 conduit would experience substantial internal volume changes as a result of the wall deforming due to fluctuating pressure within the conduit from patient breathing; and the elongate reinforcing member reinforces the conduit against the substantial volume changes that would occur in the conduit, but for the elongate reinforcing member.

This amended claim language has support in the application as originally filed as follows:

15 • The limitation “very thin walled conduit” is defined in paragraph [0007] of the published application as a conduit where under the intended prevailing conditions, the conduit would be subject to excessive axial compression. This paragraph is one example of how the claim language is properly limited to include only conduits which would encounter substantial volume changes but for the fact that the breathing conduit also includes a reinforcing membrane.

20 • Basis for the membrane being insufficiently sturdy to be self supporting is found in paragraph [00046] of the published application.

In view of the above Remarks, Applicant respectfully submits that the claims of the application are allowable over the rejections of the Examiner. Should the Examiner have any questions regarding this Amendment, the Examiner is invited to contact one of the undersigned attorneys at (312) 704-1890.

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Respectfully submitted,

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